Serial No. 09/752,700 Customer No. 24498

Remarks/Arguments

Claims 1-6, 8-16 and 18-21 are pending in this application and are rejected in the Office Action of January 24, 2006. Claims 1, 3, 4, 8, 12 and 18 are amended herein for grammatical and stylistic purposes. The amendments presented herein are not deemed necessary for purposes of patentability.

Re: Claims 1-5, 8-15 and 18-21

Claims 1-5, 8-15 and 18-21 are rejected under U.S.C. § 103(a) as being unpatentable over Rauch et al. (U.S. Patent No. 5,731,844) in view of Rector, JR et al. (U.S. Publication No. 2004/0168186), and further in view of Ludtke (U.S. Patent No. 6,867,764). Applicant traverses this rejection for at least the following reasons.

The references, whether taken individually or in combination, fail to teach or suggest all elements of the claimed invention. It is first noted that independent claims 1, 8, 12 and 18 include:

> "enabling a display on a display device, wherein the display includes ***a time line having notches representing discrete predefined time slots thereon delineating times and days in the future from a current day and time*** to which a marker can be moved" (emphasis added; see claim 1),
>
> "enabling a display on a display device, wherein the display includes ***a time line having notches representing discrete predefined time slots thereon delineating times and days in the future from a current day and time*** to which a marker can be moved" (emphasis added; see claim 8),
>
> "a device for enabling a display including ***a time line having notches representing discrete predefined time slots thereon delineating times and days in the future from a current day and time***" (emphasis added; see claim 12), and

> "a device for enabling a display including ***a time line having notches representing discrete predefined time slots thereon delineating times and days in the future from a current day and time*** to which a marker can be moved" (emphasis added; see claim 18).

As indicated above, independent claims 1, 8, 12 and 18 each include "a time line having notches representing discrete predefined time slots thereon delineating times and days in the future from a current day and time." None of the references, whether taken individually or in combination, teach or suggest, *inter alia*, this element of the claimed invention.

On pages 3 and 4 of the instant Office Action, the Examiner acknowledges that Rauch et al. fails to disclose the time period encompassed by its time scroll bar 224, and relies on Rector, JR. et al. for allegedly curing this deficiency. In particular, the Examiner states:

> "However, the Rausch et al. reference does not specifically disclose the time period the time .scroll bar 224 encompasses, i.e., the system response to transitions between days.
> Now note the Rector, JR. et al. reference that also discloses a schedule layout with a time scroll bar as illustrated in Figure 3. The schedule layout includes '[s]croll buttons 80 and 82 positioning button 84 may be used to move among the various time slots in grid 60' (Rector [0042]) ***wherein the time slots are available for a period of, for example, one week (Rector [0052])***. Thus the Rector, JR. et al. reference at least discloses a scroll bar for scrolling through time slots within a one week time period, meeting the claimed 'times and days in the future from a current day and time to which a marker can be moved.'" (emphasis added)

As indicated above, the Examiner relies on paragraph 52 of Rector, JR. et al. for allegedly disclosing a time line having time slots for multiple times and days in the future

from a current day and time. However, paragraph 52 of Rector, JR. et al. provides no such disclosure. In particular, paragraph 52 of Rector, JR. et al. states:

> "When sufficient program data has been collected from the television systems that submit such data to generate complete sets of program data for all of the channels in a television system's lineup for an appropriate time period (e.g., for the next week), main facility 12 forms a suitable customized set of next week's program data for that television system and transmits this program data to the appropriate television distribution facility 18 at step 138. The television distribution facility 18 may use the program data from the main facility to provide a passive television program guide or may retransmit the program data to user equipment 24 for use in an interactive television program guide."

As indicated above, paragraph 52 of Rector, JR. et al. discloses that a main facility 12 may transmit program data for an appropriate time period (e.g., one week) to a television distribution facility 18 which may use the program data to provide a passive television program guide, or retransmit the program data to user equipment 24 for use in an interactive television program guide. Nowhere does paragraph 52 of Rector, JR. et al. teach or suggest that the program data received by user equipment 24 is actually assembled into a program guide display including "a time line having notches representing discrete predefined time slots thereon delineating times and days in the future from a current day and time" as claimed. Accordingly, the Rausch et al. and Rector, JR. et al. combination fails to teach or suggest all elements of the claimed invention.

The Ludtke reference is unable to remedy the deficiencies of the Rausch et al. and Rector, JR. et al. combination pointed out above. In particular, the Ludtke reference discloses a data entry user interface for devices such as personal digital

assistants (PDAs). Ludtke fails to teach or suggest, *inter alia*, a method or apparatus "for providing an electronic program guide" including "a time line having notches representing discrete predefined time slots thereon delineating times and days in the future from a current day and time" as claimed. In view of the foregoing arguments and remarks, Applicant respectfully requests withdrawal of the rejection of claims 1-5, 8-15 and 18-21 under U.S.C. § 103(a).

Re: Claims 6 and 16

Claims 6 and 16 are rejected under U.S.C. § 103(a) as being unpatentable over Rauch et al. (U.S. Patent No. 5,731,844) in view of Rector, JR et al. (U.S. Publication No. 2004/0168186), and further in view of Schlarb et al. (U.S. Patent No. 6,664,984). Applicant traverses this rejection since Schlarb et al. is also unable to remedy the deficiencies of the Rausch et al. and Rector, JR. et al. combination pointed out above. In particular, Schlarb et al. discloses a method and system for the identification of pay-per-view programming which enables users to scroll through program information in a manner similar to Rausch et al. and Rector, JR. et al. Schlarb et al. fails to teach or suggest, *inter alia*, "a time line having notches representing discrete predefined time slots thereon delineating times and days in the future from a current day and time" as claimed. In view of the foregoing argument and remarks, Applicant respectfully requests withdrawal of the rejection of claims 6 and 16 under U.S.C. § 103(a).

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CONCLUSION

In view of the foregoing amendments and remarks, the Applicants believe this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this amendment is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on:

April 24, 2006
Date

Lori Klewin
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